IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.6263 OF 2005

Shashikant Ghorpade. ... Applicant.

Versus.

State of Maharashtra. ... Respondent.

Shri A.S.Khandeparkar i/by Shri M.P.Takvade for the Applicant.

Shri R.Y.Mirza, A.P.P.for the Respondent.

CORAM : ABHAY S. OKA, J.

DATED : 30th Sept., 2005.

P.C.:

1. Heard the learned Advocate for the Applicant and the learned A.P.P. for the State. Offence has been registered under section 420 read with section 34 of the Indian Penal Code and sections 3 and 4 of the Maharashtra Protection of Interests of Depositors (Financial Establishment) Act, 1999 by the Satara City Police Station.

2. The learned Advocate for the Applicant has invited my attention to the order dated 21st September 2005 passed in Criminal Application No.5750 of 2005. By the said order, co-accused who were arrested in connection with the same offence have been ordered to be enlarged on bail. He submitted that the role played by the Applicant No.1 in Criminal Application No.5750 of 2005 is no different from the role played by the Applicant in

this Application. The learned A.P.P. pointed out the material on record. However, the learned A.P.P. could not dispute that the role played by the Applicant is not different from the role played by the Applicant No.1 in Criminal Application No.5750 of 2005. Considering the accusation in the complaint and the observations made in the order dated 21st December 2005, the Applicant is entitled to be enlarged on bail by reason of parity.

3. Hence the following order is passed:

(i) The Applicant shall be enlarged on bail in connection with C.R.No.260 of 2005 registered at Satara City Police Station, subject to furnishing a personal bond of Rs.10,000/- with one or two sureties in the like amount.

(ii) The bail is granted subject to the condition that the Applicant will remain present before the Investigating Officer on every Monday and Tuesday between 4.00 p.m. and 6.00 p.m. for a period of three weeks from today and will cooperate for investigation. After the period of three weeks, the Applicant will report to the Investigating Officer as and when called upon to do so till filing of the

charge sheet.

(iii) The Bail is granted subject to condition that the Applicant shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with prosecution evidence.

(iv) The Applicant shall cooperate with the learned Trial Judge for expeditious disposal of the trial. Any attempt by the Applicant to delay the trial may be a ground for cancellation of bail.

(v) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

(vi) Application is disposed of in above terms.

Judge.